



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: ERNEST ROBERTS

Serial No.: 10/619,324

Filed: 07/14/2003

Examiner: Varner, Steve M.

Group Art Unit: 3635

For: METHOD AND DEVICE FOR IMPEDING CRAWLING ARTHROPODS TO WATER IRRIGATION HEADS

TERMINAL DISCLAIMER AND CERTIFICATION
UNDER RULES 1.321 & 3.73(b)

Honorable Commissioner of Patents
and Trademarks
Alexandria, Virginia 22313-1450

Sir:

Your Petitioner, the applicants, represents that they are the assignors of 100% of the entire right, title and interest in and to U.S. Application Serial No. 10/619,324 entitled (METHOD AND DEVICE FOR IMPEDING CRAWLING ARTHROPODS TO WATER IRRIGATION HEADS) filed on 07/14/2003, which is a Divisional Application of U.S. Serial No. 09/750,831. University of Florida is the assignee of 100% of the entire right, title and interest in and to said Applications, by virtue of Assignment recorded and reflected in Reel/Frame 011420/0484, recordation date 12/21/2000 in the parent application.

Your Petitioners further represent that they are the assignor of 100% of the entire right; title and interest in and to U.S. Application Serial No. 10/157,398 filed on May 28, 2002, now U.S. Patent No.: 6,779,311 issued on August 24, 2004.

Your Petitioner hereby disclaims except as provided below, the terminal part of any patent granted on said U.S. Application Serial No. 10/619,324, which would extend beyond the expiration date of U.S. Patent Application Serial No.: 10/157,398 filed May 28, 2002, now as U.S. Patent No.: 6,779,311 issued on August 24, 2004, as presently shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

Your Petitioner further agrees that any patent issuing on said U.S. Patent Application Serial No. 10/619,324,

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shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said U.S. Patent Application Serial No.: 10/157,398 filed May 28, 2002, this agreement to run with any patent granted on said U.S. Patent Application Serial No. 10/619,324 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the applicant identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the applicant and the assignee.


The terminal disclaimer fee of \$65.00 required by 37 CFR 1.20(d) is included.

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date

12/14/07



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